

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,
vs.

Civil No. 09-13564
Honorable Anna Diggs Taylor
Magistrate Michael J. Hluchaniuk

THREE HUNDRED SIXTY FIVE
THOUSAND FOUR HUNDRED
FORTY DOLLARS (\$365,440.00)
IN UNITED STATES CURRENCY,

Defendant *In Rem*.

ORDER STAYING CIVIL FORFEITURE PROCEEDINGS

Upon the accompanying Stipulation (D/E 17) of the United States for Order Staying Civil Forfeiture Proceedings, and the Court being otherwise fully advised in the premises, now, therefore;

IT IS ORDERED that all proceedings in this civil forfeiture, case as to the parties, United States of America, the Plaintiff, and CNP Akama Ventures, LLC., through its Managing Director, Mark Jay Apsey, shall be stayed until further order of the Court, without prejudice to either party to seek an advance termination or an extension of the stay.

IT IS FURTHER ORDERED that the proceedings in this civil forfeiture case as to Adam Samuel Tracy, Frank Michael Schmidt, and Mark Jay Apsey in his individual capacity only, whom the Government notified as possible interested parties, but have otherwise failed to file claims in this matter, shall not be stayed, and the Plaintiff's Motion for Default Judgment and Final Order of Forfeiture shall be heard as scheduled on February 22, 2010 at 10:00 a.m.

IT IS FURTHER ORDERED that the United States shall promptly inform the Claimant, and its counsel, of the culmination or termination of the criminal investigation, whether by discontinuance or by the initiation of criminal prosecution.

IT IS FURTHER ORDERED that upon termination of the stay, the parties shall be afforded a reasonable time to conclude discovery, file dispositive motions, and file all witness lists prior to any pretrial or trial proceedings.

DATED: February 12, 2010

s/Anna Diggs Taylor
ANNA DIGGS TAYLOR
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on February 12, 2010.

s/Johnetta M. Curry-Williams
Case Manager